APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,513	10/17/2003	Amy E. Battles	200209018-1	1997

22879 7590 09/07/2005		EXAMINER	
HEWLETT PACKARD COMPANY		WOODS, ERIC V	
P O BOX 272400, 3404 E. HARMONY ROAD		ART UNIT	PAPER NUMBER
INTELLECTUAL PROPERTY ADMINISTRATION			
FORT COLLINS, CO 80527-2400		2672	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 May 2005_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4,7-18,21-24 and 26-29_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4,7-18,21-24 and 26-29_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _17 October 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments, see Remarks pages 1-3, filed 23 May 2005, with respect to various points have been fully considered and are persuasive.

All rejections against claims 5-6, 19-20, and 25 stand withdrawn because of the cancellation of those claims, particularly the rejection of claim 6 under 35 U.S.C. 112, second paragraph.

As noted on Remarks page 1, applicant has amended claim 13 as per examiner's suggestion.

As such, the rejection of claim 13 under 35 U.S.C. 112, second paragraph, stands withdrawn.

The rejection of claim 9 under 35 U.S.C. 112, second paragraph, stands withdrawn as, upon re-examining the situation, examiner does not find the indefinite language present.

Applicant amended independent claims 1, 9, 14, and 22 to include various new limitations, which as noted on Remarks page 2 do distinguish the claims from the prior art of Middleton, at least as far as the previous rejections are concerned.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
      obviousness or nonobviousness.

Claims 1-4, 7-18, 21-24, and 26-29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Middleton in view of Sawano et al (US 6,677,967 B2).

With regard to claim 1, Middleton describes an image playback system that

presents a representation of an image (see Fig. 2, display 140 which displays images,

and see paragraph [0024], wherein a user can view an image on display 140) wherein

magnification logic (see Middleton, Fig. 1, wherein microprocessor 124 is the

magnification logic because it controls programs stored in memory 123, and wherein

memory 123 stores images to be magnified – see paragraphs [0016] and [0019])

responsive to a user preferred magnification step is applied to image information used

to generate the representation (see paragraphs [0019] and [0020], wherein a user uses

multi-function control 142 to perform a zoom or magnification function); a magnification

control including a zoom in switch and a zoom out switch to effect respective zoom in

and zoom out operations on the representation (see Fig. 2 and paragraph [0020],

wherein joystick control 148 or multifunction control 142 allows a user to zoom in and

out of a stored image); and a position control including an up switch, a down switch, a

left switch, and a right switch to effect respective up, down, left, and right pan operations

on the representation (see Fig. 2, wherein joystick control 148 is inherently a up, down,

left, right switch, and wherein joystick control 148 allows for pan operations on the

image, see paragraph [0020]).

Middleton describes logic for identifying that portion of the image information

responsible for the representation (see Middleton, Fig. 1, wherein microprocessor 124 is

the logic identifying that portion of the image information responsible for the

representation because it works in conjunction with image processing program

instructions which are integrated with microprocessor 124, and microprocessor 124

access memory 123, which stores images to be processed and magnified – see

paragraphs [0016] and [0019]).

Sawano explicitly shows the user selecting a region from a larger image – see for

example Figure 14, so that it is clear what portion of the image is being selected.

Further, Sawano teaches a program for creating and editing an image (3:11-24), where

the user can select a region (8:65-9:25) and edit the portions of the cutout region or

otherwise manipulate, but the user must execute a command to do so, and the box

forms, and the user can manipulate the marker box.

This limitation is notoriously well known in the art, for example the Paint program

in Microsoft Windows has the ability for the user to designate the desired region and it

will appear on the screen. Other examples of this being well known are US

2003/0103247 to Masera – see Figures 3 and 4 for example.

It would have been obvious to allow the user to see the selected, zoomed region

in the larger context, so that after the user had seen the zoomed in image, they could

then see where it was as part of the larger picture to ensure that they could cut and

paste only the desired part of the image, while making sure that no important details in

the overall picture had been missed. Clearly, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to combine Sawano with

Middleton so that the camera of Middleton would allow the user to zoom in to a desired

portion of the image and then go back to a large-scale, zoomed-out version of the

image to see the real location of that portion of the image, to allow the user to confirm a

cut-and-paste operation and/or to create a new image consisting of only the selected

portion, or the like, and showing the marker box of Sawano is inherently part of that.

With regard to claim 2, a transfer control to effect a transfer operation of the

image information associated with the representation as modified by the magnification

and position controls to a device communicatively coupled to the digital camera (see

Middleton, paragraph [0026], wherein a user uses a joystick to zoom in on an image,

and wherein the image is subsequently sent to another wireless phone via the

communication circuit 120 of Fig. 1).

With regard to claim 3, wherein the magnification logic applies a discrete

magnification step proximal to a midpoint of the digital camera's range for digitally

magnifying the image information (see Middleton, paragraphs [0019] and [0020],

wherein the user zooms in and out of the image on the display 140 at a focal point of

the image which is at the center of camera phone 100's range or view).

With regard to claim 4, Middleton describes wherein operation of successive

zoom in and zoom out operations, respectively occur in sufficiently small increments so

as to be perceived by the user as continuous (see Middleton, paragraph [0020], wherein the user zooms in and out of a stored image in image review mode, and wherein the zoom control maintains a selected focal point at the center of the display as the user zooms in and out of the image).

With regard to claim 7, wherein the transfer operation forwards the select portion of the image information (see Middleton, paragraph [0026], wherein a user uses a joystick to select a focal point on an image, and to then zoom in on an image at the selected focal point, and wherein the selected/zoomed image is subsequently sent to another wireless phone via the communication circuit 120 of Fig. 1).

With regard to claim 8, Middleton describes an image acquisition system; and a shutter that triggers the image acquisition system to acquire and index image information responsive to light incident upon an image sensor while the image playback means is active (see Middleton, paragraph [0015], wherein the image acquisition system is the camera phone 100 which comprises a camera assembly 110, and wherein the camera's lens focuses light onto image sensor 114; and also see paragraph [0026], wherein the push button of the joystick is used as a shutter control that triggers the camera phone to acquire an image and to inherently index the image when the image playback means is active. If the image were not inherently indexed, then there would be no way for the user to access the acquired images).

With regard to claim 9, identifying image information; generating a representation of the image information (see Middleton, paragraphs [0015] and [0020], wherein the camera phone 100, which comprises a camera assembly 110, is the logic for acquiring

information, and wherein the camera's lens focuses light onto image sensor 114; and

also see paragraph [0026], wherein the push button of the joystick is used as a shutter

control that triggers the camera phone to acquire an image); magnifying the

representation using a discrete magnification step proximal to a midpoint of the digital

camera's range for digitally magnifying the image information to produce a modified

representation of the image information (see Middleton, paragraphs [0019] and [0020],

wherein the user zooms in and out of the image on the display 140 at a focal point of

the image which is at the center of camera phone 100's range or view); presenting the

modified representation of the image information image (see Fig. 2, display 140 which

displays images, and see paragraph [0024], wherein a user can view the image on

display 140); controllably magnifying the modified representation responsive to a

magnification control associated with the digital camera (see Fig. 2 and paragraph

[0020], wherein joystick control 148 or multifunction control 142 allows a user to zoom in

and out of a stored image); and controllably panning across the modified representation

such that preferred subject matter is observable in a desired representation (see Fig. 2,

wherein joystick control 148 is inherently a up, down, left, right switch, and wherein

joystick control 148 allows for pan operations on the image, see paragraph [0020]).

Sawano explicitly shows the user selecting a region from a larger image – see for

example Figure 14, so that it is clear what portion of the image is being selected.

Further, Sawano teaches a program for creating and editing an image (3:11-24), where

the user can select a region (8:65-9:25) and edit the portions of the cutout region or

otherwise manipulate, but the user must execute a command to do so, and the box forms, and the user can manipulate the marker box.

This limitation is notoriously well known in the art, for example the Paint program in Microsoft Windows has the ability for the user to designate the desired region and it will appear on the screen. Other examples of this being well known are US 2003/0103247 to Masera – see Figures 3 and 4 for example.

It would have been obvious to allow the user to see the selected, zoomed region in the larger context, so that after the user had seen the zoomed in image, they could then see where it was as part of the larger picture to ensure that they could cut and paste only the desired part of the image, while making sure that no important details in the overall picture had been missed. Clearly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sawano with Middleton so that the camera of Middleton would allow the user to zoom in to a desired portion of the image and then go back to a large-scale, zoomed-out version of the image to see the real location of that portion of the image, to allow the user to confirm a cut-and-paste operation and/or to create a new image consisting of only the selected portion, or the like, and showing the marker box of Sawano is inherently part of that.

With regard to claim 10, controllably transferring that portion of the image information corresponding to the desired representation (see Middleton, paragraph [0026], wherein a user uses a joystick to select a focal point on an image which is the desired representation of the image, and wherein the desired representation of the

image is subsequently sent to another wireless phone via the communication circuit 120 of Fig. 1).

With regard to claim 11, wherein the step of controllably magnifying results in the presentation of successive modified representations of the image information that give the impression to a user that magnification is continuous (see Middleton, paragraph [0020], wherein the user zooms in and out of a stored image in image review mode, and wherein the zoom control maintains a selected focal point at the center of the display as the user zooms in and out of the image).

With regard to claim 12, activating the discrete magnification step via a menu selection (see Middleton, paragraphs [0017], wherein display 140 allows a user to see menu options, and see paragraphs [0018], [0019], and Fig. 1, wherein user interface 134 includes a multi-function control 142, wherein multi-function control 142 controls a zoom function. See also paragraph [0021], wherein multi-function control 142 operates as a menu).

With regard to claim 13, enabling the image acquisition system to acquire image information responsive to light incident on an image sensor concurrently with any one of the identifying, generating, magnifying, panning, and transferring steps (see Middleton, paragraph [0015], wherein the image acquisition system is the camera phone 100 which comprises a camera assembly 110, and wherein the camera's lens focuses light onto image sensor 114; and also see paragraph [0026], wherein the push button of the joystick is used as a shutter control that triggers the camera phone to acquire an image and to inherently index the image when the image playback means is active. If the

image were not inherently indexed, then there would be no way for the user to access
the acquired images. Furthermore, note that an image can be taken and a wireless
transfer of the picture can take place without the camera phone 100 leaving the camera
mode. In addition, see Fig. 2, display 140 which displays images, and see paragraph
[0024], wherein a user can view and identify the image on display 140 and the user can
push the button at the same time as identifying and viewing the image).

With regard to claim 14, acquiring image information; indexing the image
information such that the image information can be processed (see Middleton,
paragraphs [0015] and [0020], wherein the camera phone 100, which comprises a
camera assembly 110, is the logic for acquiring information, and wherein the camera's
lens focuses light onto image sensor 114; and also see paragraph [0026], wherein the
push button of the joystick is used as a shutter control that triggers the camera phone to
acquire an image and to inherently index the image when the image playback means is
active. If the image were not inherently indexed, then there would be no way for the
user to access the acquired images); magnifying a representation of the image
information responsive to a discrete magnification step that results in a first magnified
representation, the discrete magnification step proximal to a midpoint of the digital
camera's range for digitally magnifying the image information (see Middleton,
paragraphs [0019] and [0020], wherein the user zooms in and out of the image on the
display 140 at a focal point of the image which is at the center of camera phone 100's
range or view); presenting the first magnified representation; magnifying the first
magnified representation, when desired, to generate a second magnified representation

responsive to a control input, wherein magnifying the first magnified representation is perceptually continuous over a magnification range (see Middleton, paragraph [0020], wherein the user zooms in and out of a stored image in image review mode, and wherein the zoom control maintains a selected focal point at the center of the display as the user zooms in and out of the image); and panning across the second magnified representation, when desired, such that preferred subject matter is observable in a desired representation (see Fig. 2, wherein joystick control 148 is inherently a up, down, left, right switch, and wherein joystick control 148 allows for pan operations on the image, see paragraph [0020]).

Middleton describes logic for identifying that portion of the image information responsible for the representation (see Middleton, Fig. 1, wherein microprocessor 124 is the logic identifying that portion of the image information responsible for the representation because it works in conjunction with image processing program instructions which are integrated with microprocessor 124, and microprocessor 124 access memory 123, which stores images to be processed and magnified – see paragraphs [0016] and [0019]).

Sawano explicitly shows the user selecting a region from a larger image – see for example Figure 14, so that it is clear what portion of the image is being selected. Further, Sawano teaches a program for creating and editing an image (3:11-24), where the user can select a region (8:65-9:25) and edit the portions of the cutout region or otherwise manipulate, but the user must execute a command to do so, and the box forms, and the user can manipulate the marker box.

This limitation is notoriously well known in the art, for example the Paint program in Microsoft Windows has the ability for the user to designate the desired region and it will appear on the screen. Other examples of this being well known are US 2003/0103247 to Masera – see Figures 3 and 4 for example.

It would have been obvious to allow the user to see the selected, zoomed region in the larger context, so that after the user had seen the zoomed in image, they could then see where it was as part of the larger picture to ensure that they could cut and paste only the desired part of the image, while making sure that no important details in the overall picture had been missed. Clearly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sawano with Middleton so that the camera of Middleton would allow the user to zoom in to a desired portion of the image and then go back to a large-scale, zoomed-out version of the image to see the real location of that portion of the image, to allow the user to confirm a cut-and-paste operation and/or to create a new image consisting of only the selected portion, or the like, and showing the marker box of Sawano is inherently part of that.

With regard to claim 15, logic for transferring that portion of the image information corresponding to the desired representation (see Middleton, paragraph [0026], wherein a user uses a joystick to select a focal point on an image which is the desired representation of the image, and wherein the desired representation of the image is subsequently sent to another wireless phone via the communication circuit 120 of Fig. 1).

With regard to claim 16, wherein the logic for transferring forwards the select portion of the image information to a device communicatively coupled to a digital camera (see Middleton, paragraph [0026], wherein a user uses a joystick to zoom in on an image, and wherein the image is subsequently sent to another wireless phone via the communication circuit 120 of Fig. 1).

With regard to claim 17, logic for generating a menu (see Middleton, paragraph [0017], wherein display 140, coupled to an application-specific integrated logic circuit (ASIC) as described in paragraph [0016] and as shown in Fig. 1, allows a user to see dialed digits, images, called status, menu options, and other service information. Also see Fig. 1, wherein user interface 134 includes a multi-function control 142, wherein multi-function control 142 controls a zoom function. See also paragraph [0021], wherein multi-function control 142 operates as a menu).

With regard to claim 18, wherein the logic for generating a menu activates a menu option that when selected further activates the discrete magnification step (see Middleton, paragraphs [0017], wherein display 140 allows a user to see menu options, and see paragraphs [0018], [0019], and Fig. 1, wherein user interface 134 includes a multi-function control 142, wherein multi-function control 142 controls a zoom function. See also paragraph [0021], wherein multi-function control 142 operates as a menu).

With regard to claim 21, wherein the logic for acquiring information is accessible and executable concurrently with logic for indexing, presenting, magnifying, panning, and transferring image information (see Middleton, paragraphs [0015] and [0020], wherein the camera phone 100, which comprises a camera assembly 110, is the logic

for acquiring information, and wherein the camera's lens focuses light onto image

sensor 114; and also see paragraph [0026], wherein the push button of the joystick is

used as a shutter control that triggers the camera phone to acquire an image and to

inherently index the image when the image playback means is active. If the image were

not inherently indexed, then there would be no way for the user to access the acquired

images. Furthermore, an image can be taken and a wireless transfer of the picture can

take place without the camera phone 100 leaving the camera mode. See also Fig. 2,

display 140, which displays or presents the images, and see paragraph [0024], wherein

a user can view an image on display 140. See paragraphs [0019] and [0020], wherein

the user zooms in and out of the image on the display 140. See Fig. 2, wherein joystick

control 148 is inherently a up, down, left, right switch, and wherein joystick control 148

allows for pan operations on the image, see paragraph [0020]).

    With regard to claim 22, means for presenting a representation of an image (see

Fig. 2, display 140 which displays images, and see paragraph [0024], wherein a user

can view an image on display 140) responsive to a user preferred initial magnification

step, wherein the user preferred initial magnification step is applied to image information

to generate the representation (see paragraphs [0019] and [0020], wherein a user uses

multi-function control 142 to perform a zoom or magnification function); means for

effecting zoom in and zoom out operations on the representation; and means for

effecting up, down, left, and right pan operations on the representation (see Fig. 2,

wherein joystick control 148 is inherently a up, down, left, right switch, and wherein

joystick control 148 allows for pan operations on the image, see paragraph [0020], and

further see Middleton, paragraph [0026], wherein a user uses the joystick to zoom in on

an image).

Means for identifying that portion of the image information responsible for the

representation (see Middleton, Fig. 1, wherein microprocessor 124 is the logic

identifying that portion of the image information responsible for the representation

because it works in conjunction with image processing program instructions which are

integrated with microprocessor 124, and microprocessor 124 access memory 123,

which stores images to be processed and magnified – see paragraphs [0016] and

[0019]). Further, those means would include the processor for identifying that portion of

the base image, and the display would be the means for presenting the visible indicia as

per Sawano below.

Sawano explicitly shows the user selecting a region from a larger image – see for

example Figure 14, so that it is clear what portion of the image is being selected.

Further, Sawano teaches a program for creating and editing an image (3:11-24), where

the user can select a region (8:65-9:25) and edit the portions of the cutout region or

otherwise manipulate, but the user must execute a command to do so, and the box

forms, and the user can manipulate the marker box.

This limitation is notoriously well known in the art, for example the Paint program

in Microsoft Windows has the ability for the user to designate the desired region and it

will appear on the screen. Other examples of this being well known are US

2003/0103247 to Masera – see Figures 3 and 4 for example.

It would have been obvious to allow the user to see the selected, zoomed region in the larger context, so that after the user had seen the zoomed in image, they could then see where it was as part of the larger picture to ensure that they could cut and paste only the desired part of the image, while making sure that no important details in the overall picture had been missed. Clearly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sawano with Middleton so that the camera of Middleton would allow the user to zoom in to a desired portion of the image and then go back to a large-scale, zoomed-out version of the image to see the real location of that portion of the image, to allow the user to confirm a cut-and-paste operation and/or to create a new image consisting of only the selected portion, or the like, and showing the marker box of Sawano is inherently part of that.

With regard to claim 23, means for effecting a transfer of the image information associated with the representation as modified by the means for effecting zoom in and zoom out operations and means for effecting up, down, left, and right pan operations to a device communicatively coupled to the digital camera representation (see Fig. 2, wherein joystick control 148 is inherently a up, down, left, right switch, and wherein joystick control 148 allows for pan operations on the image, see paragraph [0020], and further see Middleton, paragraph [0026], wherein a user uses the joystick to zoom in on an image, and wherein the image is subsequently sent to another wireless phone via the communication circuit 120 of Fig. 1).

With regard to claim 24, wherein the means for effecting zoom in and zoom out operations on the representation applies magnification steps in sufficiently small increments so as to be perceived by the user as continuous (see Middleton, paragraph [0020], wherein the user zooms in and out of a stored image in image review mode, and wherein the zoom control maintains a selected focal point at the center of the display as the user zooms in and out of the image).

Means for identifying that portion of the image information responsible for the representation (see Middleton, Fig. 1, wherein microprocessor 124 is the logic identifying that portion of the image information responsible for the representation because it works in conjunction with image processing program instructions which are integrated with microprocessor 124, and microprocessor 124 access memory 123, which stores images to be processed and magnified – see paragraphs [0016] and [0019]).

With regard to claim 26, wherein the means for identifying is responsive to the means for effecting a transfer of the image information and presents visible indicia on the unmodified representation to demark a select portion of the image information (see Middleton, paragraph [0020], wherein the center point of a stored image remains at the center of the display as the user zooms in and out of the image, and wherein the focal may be changed to a different selected point on the image by the user, and see paragraph [0026].

With regard to claim 27, wherein the means for effecting a transfer of image information forwards the select portion of the image information (see Middleton,

paragraph [0026], wherein a user uses a joystick to select a focal point on an image, and to then zoom in on an image at the selected focal point, and wherein the selected/zoomed image is subsequently sent to another wireless phone via the communication circuit 120 of Fig. 1).

With regard to claim 28, wherein the means for presenting applies a discrete magnification step proximal to a midpoint of the digital camera's range for digitally magnifying the image information (see Middleton, paragraphs [0019] and [0020], wherein the user zooms in and out of the image on the display 140 at a focal point of the image which is at the center of camera phone 100's range or view).

With regard to claim 29, means for acquiring image information; and means for triggering the means for acquiring image information such that the means for acquiring indexes image information responsive to light incident upon an image sensor while the means for presenting is active (see Middleton, paragraph [0015], wherein the image acquisition system which acquires image information is the camera phone 100 which comprises a camera assembly 110, and wherein the camera's lens focuses light onto image sensor 114; and also see paragraph [0026], wherein the push button of the joystick is used as a shutter control that triggers the camera phone to acquire an image and to inherently index the image when the image playback means is active. If the image were not inherently indexed, then there would be no way for the user to access the acquired images).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
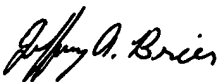
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric V. Woods whose telephone number is 571-272-7775. The examiner can normally be reached on M-F 7:30-4:30 alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Eric Woods   JEFFERY BRIER   24 August 2005
                                    PRIMARY EXAMINER